

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

David William MCKEON

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 21, 2022 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

8 USC 1324 (a)(1)(A)(ii) and (v)(I)

Knowingly or in reckless disregard of the fact that an alien has come to, entered, or remained in the United States in violation of law, did knowingly transport and move, attempt to transport and move, and conspire with each other and with other persons known and unknown, to transport and move, such alien within the United States by means of transportation and otherwise, in furtherance of such violation of law.

This criminal complaint is based on these facts:

See attachment "A"

☒ Continued on the attached sheet./s/ Jeffrey Foy*Complainant's signature*Jeffrey Foy HSI Special Agent*Printed name and title*

Sworn to before me and signed in my presence.

Date: 04/25/2022*Judge's signature*City and state: Laredo, TexasDiana Song Quiroga, US Magistrate Judge*Printed name and title*

ATTACHMENT A

1. On April 20, 2022, at approximately 11:03 p.m., a Border Patrol Agent (BPA) was working at the United States Border Patrol (USBP) Immigration Checkpoint on Interstate Highway 35 (IH-35) mile marker 29 north of Laredo, Texas in Webb County encountered a white tractor hauling a white trailer approached the primary inspection lane.
2. BPAs conducted an immigration inspection on the driver, identified as David William MCKEON. During the inspection, MCKEON declared he was a U.S. citizen. MCKEON provided BPAs a shipment manifest with a date of April 20, 2022, with destination of Austin, Texas. BPAs approached the rear of the trailer to verify the trailer seal with the shipping manifest.
3. While verifying the seal, the BPAs heard unidentified noises coming from inside the trailer. A BPA then opened a rear vent door and saw persons inside the trailer. BPAs cut the seal on the trailer and opened the rear doors. Upon opening the doors, the BPAs discovered multiple subjects sitting inside of the trailer. BPAs conducted an immigration inspection on all one hundred and twenty-four (124) subjects and determined all were undocumented non-citizens (UNDCs) illegally present in the United States.
4. BPAs placed MCKEON under arrest along with the 124 UNDCs. BPAs contacted Homeland Security Investigations (HSI) Special Agents (SAs) for investigative assistance with the case. HSI SAs responded to the IH-35 checkpoint and conducted post arrest interviews. Under Miranda rights advisement and waiver thereof, MCKEON agreed to speak to HSI SAs without an attorney.
5. On or about April 19, 2022, MCKEON stated he was approached by subjects in Laredo and asked to drive a tractor-trailer to San Antonio, Texas. MCKEON stated the subjects knew he had an expired commercial driver's license and he felt pressured to drive.
6. On April 20, 2022, at approximately 9:00 p.m., a subject drove MCKEON to a tractor near State Highway 359 in Laredo. MCKEON stated after he retrieved the tractor, he drove the tractor to a nearby dirt road and picked up a trailer. MCKEON stated he inspected the sealed trailer and was given instructions to drive the tractor-trailer to San Antonio.
7. MCKEON stated he was instructed to drop the trailer at an unknown San Antonio location then follow an unknown vehicle to a hotel to receive a few thousand dollars as payment for driving.
8. Felix Santiago MANUEL and Macario Gutierrez COLON are Mexican nationals who admitted to illegally entering the United States by crossing the Rio Grande River, at various times, to be smuggled to cities within the United States for various amounts of money and will be held as material witnesses in the case.